IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO. 52 OF 2005

State of Goa. .... Appellant

V/s

1. Vinayak Dinesh Amruskar,
r/o. Dhupem, Bastora,
Flat No. 5A, N/O Raviwarpeth,
Marutigalli Londa,
Belgaum.

2. Roshan Amruskar @ Amrujkar,
S/o. Ravindra Amrujkar,
r/o. Appt. Flat No. 5A,
Dhupem, Bastora, N/O Raviwarpeth,
Marutigalli Londa,
Belgaum. .... Respondents

Ms. W. Coutinho, Public Prosecutor for the Appellant.

Ms. C. Collasso, Advocate for the Respondents.

CORAM : N.A. BRITTO, J.

DATE : 21st AUGUST, 2007

ORAL ORDER :

Heard learned Public Prosecutor, Ms. W. Coutinho and Ms. Collasso, the learned Counsel on behalf of the Respondents.

2. This appeal was filed against the judgment dated 15/12/2004 of the learned JMFC, acquitting the accused under Sections 325, 504, 506(ii) r/w Section 34 I.P.C.

3. The said case was investigated by Mapusa Police Station upon the complaint filed by Shri Nazareth D'Costa. The said Nazareth D'Costa has now filed an Affidavit dated 01/08/2007. The said Affidavit has been presented by the learned Counsel on behalf of the Respondents. In the said Affidavit, the said complainant has stated that he has sorted out his differences with the Respondents, who were the accused in the said case and who are his neighbours. In view of the said Affidavit, the learned Public Prosecutor seeks leave to withdraw the present appeal. Leave granted.

4. Hence, the appeal is dismissed as withdrawn.

N.A. BRITTO, J.

NH/-